

REMARKS

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Claims 22-37 and 39-42 were, prior to this Amendment, pending. Claim 42 is herein withdrawn.

Claims 22 is independent.

Claims 23-37 and 39-41 depend, directly or indirectly, on claim 22.

1. Enablement

The Examiner rejects all pending claims for failing to be enabled, as required by 35 U.S.C. 112 ¶ 1.

Applicants respectfully submit that claim 22, as currently amended, is certainly enabled. Claim 22 has been amended to specifically state that structure is imparted to the light “by use of an arrangement of transparent and opaque area segments.” This additional claim language is supported by various portions of the application as filed, including the following: page 8, lines 25-30 and page 19, lines 23-28.

Applicants respectfully direct the Examiner’s attention to the fact that the use of transparent and opaque area segments, in conjunction with the illumination of a Liquid Crystal Matrix (LCM), is a commonly-known technique for the production of autostereoscopic 3D images.

The Eichenlaub reference itself (US Pat No. 6,157,424), which the Examiner has repeatedly relied upon for purposes of prior-art rejections, clearly depicts this principle. For example, applicants respectfully direct the Examiner’s attention to Figure 3 of Eichenlaub, which is discussed at col. 6, lines 16-28. Figure 3 is a simplification of Figure 2 of Eichenlaub (where Figure 2 is described at col. 5, lines 16-65). Figure 3 is the same as Figure 2, except the following elements have been removed: electronically variable diffuser 28, lenticular lens 24 and special purpose line forming backlight 10. Not shown in Figure 3 is the replacement for special purpose line forming backlight 10: “a conventional diffuse backlight (not shown) placed behind the secondary LCD 30.” Eichenlaub, col. 6, lines 21-25.

As can be seen, other than the not-shown diffuse backlight, Figure 3 of Eichenlaub is comprised of two LCMs: "image forming LCD 28" (col. 5, line 24) and "secondary LCD 30" (col. 5, line 37). With regard to LCD 30, Eichenlaub states (col. 5, lines 40-42): "[t]his LCD 30 can be made to display thin, transparent slits or lines with dark opaque areas or stripes between." With regard to Figure 3, Eichenlaub states (col. 6, lines 20-21) that it "uses the secondary LCD 30 itself to form lines of the correct size and position to form viewing zones." Viewing zones, and the display of autostereoscopic images, is specifically introduced by Eichenlaub with respect to Figure 1 (e.g., please see discussion of "viewing zones 8 and 9" at col. 5, line 12).

Because claim 22 is enabled, the other claims, being dependent upon claim 22, are also enabled for at least the same reasons.

Since this is the second time applicants have discussed Eichenlaub with respect to an enablement rejection (the previous time being in applicants response submitted Mar. 21, 2007), if the Examiner wishes to continue to maintain an enablement rejection, applicants respectfully request that the Examiner specifically address applicants analysis of the prior art, as exemplified by Eichenlaub. The Examiner appears to be repeatedly making conclusory statements, that the claims and specification are non-enabling, without addressing the fact that the claims and specification must be understood in conjunction with the content of the prior art.

After all, as stated in MPEP section 706:

[T]he patent application should be reviewed and analyzed in conjunction with the state of the prior art to determine whether the claims define a ... enabled invention.

* * *

The goal of examination is to clearly articulate any rejection early in the prosecution process so that the applicant has the opportunity to provide evidence of patentability and otherwise reply completely at the earliest opportunity.

2. Claim Objections

Since the "mirror well" limitation has been removed from claim 22, applicants respectfully submit that claim objection (1) has been rendered moot.

With regard to claim objection (2), applicants regard the discussion of the word "permanent" in the specification, at such locations as page 10, line 35 to page 11, line 14, as more than sufficient to avoid any potential confusion or indefiniteness.

However, as correction has been required, applicants have amended claim 32 to state that “the diffusing layer is designed to have a non-controllable defusing effect.”

3. Obviousness

The Examiner has rejected all pending claims under 35 U.S.C. 103, by using Eichenlaub in combination with one or more of the following: Yamaguchi (US Pat No. 6,527,410), Nakayama (US Pat No. 5,831,765) and Inoguchi (US Pat No. 6,061,179).

Since the “mirror well” limitation has been removed from claim 22, the Examiner’s prior art rejection of claim 22 relies only upon Figure 14 of Eichenlaub. Figure 14 of Eichenlaub, however, imparts structure to light, suitable for production of an autostereoscopic image, by use of an optical system that includes the use of a lens (i.e., lenticular lens sheet 24). Such optical system is used to “produce a multitude of thin bright lines on a plane 100.” Eichenlaub, col. 12, line 12.

In contrast, applicants invention imparts structure to light, with a filter array and without the use of a lens, sufficient to show an image in three dimensions. There is simply no disclosure or suggestion in Eichenlaub that a movable diffuser can be used in an optical system, selectable between 2D or 3D display modes, that does not include the use of a lens.

Since claim 22 is allowable over Eichenlaub, the other pending claims, being dependent upon claim 22, are allowable for at least the same reasons.

4. Summary

Applicants respectfully submit that all rejections, requirements and objections have been traversed. Therefore, applicants request a Notice of Allowance be granted.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 502584 referencing docket number “Via.USPA10532951.”

Commissioner for Patents
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Respectfully submitted,

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